

7. For purposes of this section:

- a. "Financial institution" means financial institution as defined in section 527.2.
- b. "Governmental services card" means a card containing identifying information in written and machine readable form, which can be used as an access device by the holder for any of the purposes as stated in this section.

Approved May 4, 1992

CHAPTER 1194

SWIMMING POOLS AND SPAS

S.F. 2218

AN ACT relating to the regulation of swimming pools, spas, and swimming pool or spa water heaters regulated by the Iowa department of public health and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 135I.1, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 5. "Swimming pool or spa water heater" means an appliance designed for heating nonpotable water stored at atmospheric pressure, such as water in a swimming pool, spa, hot tub, or for similar uses.

Sec. 2. Section 135I.2, Code 1991, is amended to read as follows:

135I.2 APPLICABILITY.

This chapter applies to all swimming pools and spas owned or operated by local or state government, or commercial interests or private entities including, but not limited to, facilities operated by cities, counties, public or private school corporations, hotels, motels, camps, apartments, condominiums, and health or country clubs. This chapter does not apply to facilities intended for single family use. To avoid duplication and promote coordination of inspection activities, the department may enter into agreements pursuant to chapter 28E with a local board of health or multiple boards of health representing contiguous areas to provide for inspection and enforcement in accordance with this chapter.

Sec. 3. Section 135I.4, unnumbered paragraph 1 and subsections 3, 4, and 6, Code 1991, are amended to read as follows:

The department is responsible for registering and regulating the operation of swimming pools, and spas, and, notwithstanding chapter 89, swimming pool or spa water heaters. The department shall conduct seminars and training sessions, and disseminate information regarding health practices, safety measures, and operating procedures required under this chapter. The department may:

3. Establish minimum qualifications for swimming pool, spa, and waterslide operators and lifeguards. Swimming pools operated by apartments, condominiums, country clubs, neighborhoods, or mobile home parks are exempt from requirements regarding lifeguards.

4. Establish and collect fees to defray the cost of administering this chapter. It is the intent of the general assembly that fees collected under this chapter be used to defray the cost of administering this chapter. However, the portion of fees needed to defray the costs of a local board of health in implementing this chapter shall be established by the local board of health. A fee imposed for the inspection of a swimming pool or spa shall not be collected until the inspection has actually been performed.

6. Enter into agreements with a local board of health ~~or local boards of health in a contiguous area~~ to implement the inspection and enforcement provisions of this chapter. The agreements shall provide that the fees established by the local board ~~or boards of health~~ for inspection and enforcement shall be retained by the local board ~~or boards~~. ~~A local board of health or boards of health in a contiguous area may enter into such an agreement with the department.~~ However, inspection fees shall not be charged by the department for facilities which are inspected by third-party authorities. Third-party authorities shall be approved by the department. The department shall monitor and certify the inspection and enforcement programs of local boards of health and approved third-party authorities.

Sec. 4. Section 135I.6, Code 1991, is amended to read as follows:
135I.6 ENFORCEMENT.

If the department or a local board ~~or boards~~ of health acting pursuant to agreement with the department determines that a provision of this chapter or a rule adopted pursuant to this chapter has been or is being violated, the department or the local board ~~or boards~~ of health may order that a facility or item of equipment not be used until the necessary corrective action has been taken. The department or the local board of health may request the county attorney to bring appropriate legal proceedings to enforce this chapter, including an action to enjoin violations. The attorney general may also institute appropriate legal proceedings at the request of the department. This remedy is in addition to any other legal remedy available to the department or a local board ~~or boards~~ of health.

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 4, 1992

CHAPTER 1195

CHILD SUPPORT RECOVERY

S.F. 2316

AN ACT relating to child support recovery.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I

Section 101. Section 252B.4, Code 1991, is amended to read as follows:
252B.4 NONASSISTANCE CASES.

The child support and paternity determination services established by the department pursuant to this chapter and other appropriate services provided by law including but not limited to the provisions of chapters 239, 252A, 252C, 252D, 252E, 598 and 675 shall be made available by the unit to an individual not otherwise eligible as a public assistance recipient upon application by the individual for the services. The application shall be filed with the department.

1. The director ~~may~~ shall require an application fee ~~not to exceed twenty of twenty-five~~ of twenty-five dollars.

2. The director may require an additional fee to cover the costs incurred by the department in providing the support collection and paternity determination services.

a. The director shall, by rule, establish and ~~make available to inform~~ all applicants for support enforcement and paternity determination services ~~a of the fee schedule~~. ~~The fee for support collection and paternity determination services charged to an applicant shall be agreed upon in writing by the applicant, and shall be based upon the applicant's ability to pay for the services.~~